

**PROHIBITION OF LAW ENFORCEMENT QUOTAS**

2018 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Howard A. Stephenson**

House Sponsor: Kim F. Coleman

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**LONG TITLE****General Description:**

This bill prohibits a political subdivision or law enforcement agency from imposing an arrest, citation, stop, or other quota on a peace officer.

**Highlighted Provisions:**

This bill:

- ▶ prohibits a political subdivision or law enforcement agency from:
  - requiring or directing a peace officer to meet an arrest, citation, stop, or other quota; or
  - transferring, promoting, disciplining, or taking any other action against a peace officer for reasons related to an arrest, citation, stop, or other quota;
- ▶ requires the Peace Officer Standards and Training Council to develop model standards unrelated to quotas to evaluate peace officer performance; and
- ▶ makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**53-6-107**, as last amended by Laws of Utah 2002, Chapter 250



ENACTS:

77-7-27, Utah Code Annotated 1953

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*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **53-6-107** is amended to read:

**53-6-107. General duties of council.**

(1) The council shall:

(a) advise the director regarding:

(i) the approval, certification, or revocation of certification of any certified academy established in the state;

(ii) the refusal, suspension, or revocation of certification of a peace officer;

(iii) minimum courses of study, attendance requirements, and the equipment and facilities to be required at a certified academy;

(iv) minimum qualifications for instructors at a certified academy;

(v) the minimum basic training requirements that peace officers shall complete before receiving certification;

(vi) the minimum basic training requirements that dispatchers shall complete before receiving certification; and

(vii) categories or classifications of advanced in-service training programs and minimum courses of study and attendance requirements for the categories or classifications;

(b) recommend that studies, surveys, or reports, or all of them be made by the director concerning the implementation of the objectives and purposes of this chapter;

(c) develop model standards regarding the evaluation of peace officer performance based on objective criteria that do not rely on any law enforcement quotas, as defined in

Subsection 77-7-27(1);

~~[(c)]~~ (d) make recommendations and reports to the commissioner and governor from time to time; and

~~[(d)]~~ (e) perform other acts as necessary to carry out the duties of the council in this chapter.

(2) The council may approve special function officers for membership in the Public Safety Retirement System in accordance with Sections 49-14-201 and 49-15-201.

Section 2. Section 77-7-27 is enacted to read:

**77-7-27. Quotas for arrest, citation, stops, or other actions prohibited.**

(1) As used in this section:

(a) "Law enforcement agency" means an entity of the state, or a political subdivision of the state, that exists primarily to prevent and detect crime and enforce criminal laws, statutes, or ordinances.

(b) "Law enforcement quota" means any requirement or measure regarding the number or percentage of warnings, complaints, citations, stops, or arrests made by a law enforcement officer.

(2) A political subdivision or law enforcement agency employing a peace officer may not:

(a) require, suggest, or direct that a peace officer meet a law enforcement quota;

(b) evaluate, promote, compensate, reward, or discipline a peace officer on the basis of a law enforcement quota; or

(c) transfer a peace officer from an employment assignment on the basis of a law enforcement quota.

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**Legislative Review Note**  
**Office of Legislative Research and General Counsel**